

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 9, 10, 26, 27, and 41-46 are pending in the application, with claims 9, 26, and 27 being the independent claims. Claims 29 and 30 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Applicants reserve the right to prosecute similar or broader claims, with respect to the cancelled and/or amended claims, in the future. These changes are believed to introduce no new matter, and their entry is respectfully requested.

With respect to this Application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the references that it was made to allegedly avoid, may need to be revisited. Nor should any previous disclaimer of claim scope, if any, in this Application be read back into any predecessor or related application.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

***Rejections under 35 U.S.C. § 112***

Claims 9, 10, 27, 41-46

Claims 9, 10, 27, 41-46 rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite for failing to particularly point out and distinctly claim the

subject matter which Applicants regard as the invention. Without acquiescing to the merits of this allegation, Applicant has amended claims 9, 10, 27, and 46 to accommodate the Examiner's rejection. Dependent claims 41-45 is likewise not indefinite for the same reasons as independent claim 9 from which they depend. Accordingly, Applicants respectfully requests the rejection to claims 9, 10, 27, 41-46 under 35 U.S.C. § 112, second paragraph, be reconsidered and withdrawn.

***Rejections under 35 U.S.C. § 102***

Claim 26

Claims 26 stands rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by United States Patent No. 5,963,556 to Varghese (herein "Varghese"). Applicants respectfully traverse the rejection and provide the following arguments to support patentability.

This Application discloses a repeater that performs a reset process upon detecting that a link between the repeater and a switch is down or is about to go down. The link between the repeater and the switch may be down or is about to go down due to a variety of reasons, such as, for example, malfunction of the repeater. (Specification, ¶ [0230].) If the repeater determines the link is down or about to go down, the repeater itself may perform a reset process, herein referred to as Applicants' repeater reset process. (Specification, ¶ [0230].) In other words, the repeater determines the link between the repeater and the switch may be down or about to go down, but this link is still functioning, *i.e.*, there is a malfunction of the repeater. (Specification, ¶ [0231].) "In such a case, all that is needed is for a reset process to bring the repeater back up."

(Specification, ¶ [0231].) The repeater, therefore, resets itself by using the reset process to reestablish the link.

Varghese, however, does not teach or suggest a repeater reset process as recited by independent claim 26. More specifically, the Office Action alleges column 13, lines 25-27, teaches or suggests at least the feature of "*performing a reset process by the repeater that enables the repeater to reestablish a new connection with the switch over the link in response to the determination*" as recited by independent claim 26. Column 13, lines 25-27, provides: "[o]n creation and on power up or reset of the link, the LinkRecord is reset by setting the State of the link to INIT 300." (Varghese, 13:25-27.) However, as shown in FIG. 7B, the process of setting the State of the link to INIT 300 as disclosed by Varghese is performed by the server connection state machine, not the client, *i.e.*, the repeater, state machine as recited by independent claim 26. Nowhere does Varghese teach or suggest a client performing a reset process in response to determining that a connection between the client and the server is down. In other words, nowhere does Varghese teach or suggest Applicants' repeater reset process, namely "*a reset process [that is performed] by the repeater that enables the repeater to reestablish a new connection with the switch*" as recited by independent claim 26. Accordingly, Applicants respectfully request that the rejection of claim 26 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

***Rejections under 35 U.S.C. § 103***

Claim 27

Claim 27 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Varghese in view of United States Patent No. 6,307,837 to Ichikawa et al. (herein "Ichikawa"). Applicants respectfully traverse the rejection and provide the following arguments to support patentability.

As previously discussed above, Varghese does not teach or suggest at least the feature of *"performing a reset process by the repeater that enables the repeater to reestablish a new connection with the switch over the link in response to the determination"* as recited by independent claim 26. Independent claim 27 recites a substantially similar feature that is likewise not taught or suggested by Varghese. Ichikawa does not teach or suggest these missing features of independent claim 27 nor does the Office Action so allege, therefore the combination of Varghese and Ichikawa does not render independent claim 27 obvious. Accordingly, Applicants respectfully request that the rejection of claim 27 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 9, 10, and 41-46

Claims 9, 10, and 41-46 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Varghese in view of United States Patent No. 6,292,508 to Hong et al. (herein "Hong"). Applicants respectfully traverse the rejection and provide the following arguments to support patentability.

This Application also discloses a discovery process for detecting a new, i.e., *a previously unknown repeater*. This previously unknown repeater may become a known or an activated repeater within the network by powering up the repeater and/or plugging the repeater into a port of a switch. (Specification, ¶ [0213].) After activation, the previously unknown repeater listens for messages that identifying a switch, sends messages to the switch using the VLAN ID identifying the switch, and receives VLAN configuration information from the switch to establish a connection between the switch and the repeater.

The Office Action correctly acknowledges that "Varghese fails to disclose the specific repeater being inactive previously, and then starting to operate after activation." To cure this deficiency, the Office Action alleges Hong teaches or suggests these missing features of independent claim 9 such a combination of Varghese and Hong renders this independent claim obvious.

Applicants have amended independent claim 9 to recite "*a previously unknown repeater*" to further clarify the discovery process of this Application as discussed above. Hong does not teach or suggest a new, i.e., *a previously unknown repeater*, as recited by independent claim 9. Rather, Hong discloses a previously identified known node that may be configured to operate in an inactive, power deduction sleep mode. More specifically, the transmitter of a selected node of Hong may be powered on only when actual transmission is occurring to reduce power consumption. (Hong, 18: 30-32.) The receiver of the selected node may be placed into an inactive state of reduced power consumption until some determination is made within the communication network that another node wishes to send information to that node. (Hong, 18: 42-47.) The selected

node of Hong, however, represents a known node that has been placed into inactive state of reduced power consumption, not a completely new node, i.e., *a previously unknown repeater*, to the communication network.

Hong, therefore, does not teach or suggest "*a previously unknown repeater*" as recited by independent claim 9. Varghese does not teach or suggest these missing features of independent claim 9 nor does the Office Action so allege, therefore the combination of Varghese and Hong does not render independent claim 9 obvious. Dependent claims 10 and 41-46 are likewise not rendered obvious by the combination of Varghese and Hong for the same reasons as independent claim 9 from which they respectively depend and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 9, 10 and 41-46 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

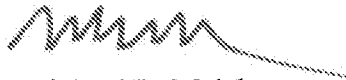
***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michael R. Malek  
Attorney for Applicants  
Registration No. 65,211

Date: 03/16/10

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

1091632\_1.DOC